IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :

v. : CRIMINAL NO. 05-440-13

JAMES MORRIS :

INFORMATION CHARGING PRIOR FELONY DRUG CONVICTION PURSUANT TO TITLE 21 UNITED STATES CODE, SECTION 851(a)

The United States of America, by its attorneys Patrick L. Meehan, United States Attorney for the Eastern District of Pennsylvania, and Richard A. Lloret and Michael J. Bresnick, Assistant United States Attorneys for the district, hereby files this Information, charging the above-named defendant with having been previously convicted of a felony drug offense for purposes of sentencing enhancement pursuant to 21 U.S.C. § 851(a), as described below:

- 1. On or about April 5, 1994, defendant James Morris was arrested for possession of a controlled substance in Salem County, New Jersey, case number 94-000077. He was later found guilty of this offense.
- 2. On or about September 13, 1995, defendant James Morris was arrested by the New Jersey State Police in Woodstown, New Jersey, for possession of a controlled substance, Agency Case Number A14095575. He later was found guilty of this offense.
- 3. Each of these convictions carried a penalty in excess of one year in prison, and constitute a "felony drug offense," as defined in 21 U.S.C. § 802(44).
- 4. James Morris is charged in the pending Fifth Superseding Indictment, Criminal No. 05-440-13, with the following drug trafficking crimes: in Count 1 with conspiracy to

distribute and possess with intent to distribute five kilograms or more of a mixture or substance containing a detectable amount of cocaine and 50 grams or more of a mixture or substance containing a detectable amount of cocaine base ("crack"), in violation of 21 U.S.C. § 846; in Counts 52 through 55, in violation of 21 U.S.C. § 843(b); and in Count 67, in violation of 18 U.S.C. § 924(c). Morris's prior felony drug convictions in New Jersey serve as the basis for increased punishment pursuant to 21 U.S.C. § 841(b)(1)(A)(ii) in the present case.

WHEREFORE, the government respectfully gives notice, pursuant to 21 U.S.C. § 851(a) that defendant James Morris, upon conviction of a violation of 21 U.S.C. §§ 846 and 843(b) will be subject to enhanced criminal penalties under 21 U.S.C. § 841(b)(1)(A)(ii) in this case.

Respectfully submitted,

PATRICK L. MEEHAN United States Attorney

/s/ Michael J. Bresnick
RICHARD A. LLORET
Assistant United States Attorney

MICHAEL J. BRESNICK Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Government's Information

Charging Prior Felony Drug Conviction has been served on counsel for defendant by U.S. Mail,

first class postage prepaid, addressed as follows:

Wayne Powell 811 Church Road 101 Tarragon Building Cherry Hill, NJ 08002

/s/ Michael J. Bresnick
MICHAEL J. BRESNICK
Assistant United States Attorney

Date: December 18, 2007